

Minutes of a Special Meeting of the Common Council of the Town of Clarkdale Held on Tuesday, October 25, 2005.

A special meeting of the Common Council of the Town of Clarkdale was held on Tuesday, October 25, 2005 at 6:00 p.m. in the Men's Lounge of the Clark Memorial Clubhouse, 19 North Ninth Street, Clarkdale, Arizona.

Town Council:

Mayor	Doug Von Gausig
Vice Mayor	Jerry Wiley
(absent)	
Councilmember	Frank Sa
	Patricia Williams
	Tim Wills

Town Staff:

Town Manager	Gayle Mabery
Town Clerk	Joyce Driscoll
Town Attorney	Anna Young
Police Chief	Pat Haynie

Others in Attendance: Robyn Prud'homme-Bauer, Ellie Bauer and Curt Bohall.

AGENDA ITEM: CALL TO ORDER - Mayor Von Gausig called the meeting to order at 6:10 p.m. and noted that Vice-Mayor Wiley was absent.

AGENDA ITEM: PUBLIC COMMENT -

Curtis Bohall, 721 Third North, stated that at the last Planning Commission meeting, the Verde Valley Land Use Plan made a presentation. There will be another presentation on November 10th at the County Annex in Cottonwood. He encouraged everyone to attend.

Robyn Prud'homme-Bauer, 1750 Cholla, Chairperson of the Planning Commission, stated there will be a special Planning meeting on November 7th at 6 p.m. to discuss regional land use planning and she invited the Council to attend.

Ellie Bauer, 1201 Main, stated she had asked at the last Council to speak about an item and she didn't get a chance, regarding the fire suppression ordinance. She stated that a sprinkler system and a fire suppression system are two different things. She would not have sprinklers in homes. It is unfair and unrealistic and she hopes it is brought

back to the Council.

Frank Sa, 309 Main Street, asked about Halloween. Town Manager Mabery responded there would be no costume contest. The Town is collecting candy at Town Hall. The Town does not advertise because already 1,000 trick-or-treaters attend.

AGENDA ITEM: WORKSESSION - A worksession to discuss Council's goals for the "community building" to be built in the Highlands project.

Mayor Von Gausig stated that staff had a meeting to discuss possible uses.

Town Manager Mabery summarized the issues from the meeting as follows:

1. A five-year Facilities Master Plan (FMP) was completed in 2003. Several elements resulted in remodels in town buildings.
2. There is no space for attorneys to meet with clients in the Magistrate Court. The FMP suggested moving the library to the Men's Lounge and the court/council space to the current library location. Moving the court allows the police department to expand.
3. Possibility of a joint court facility with the City of Cottonwood.
4. The concept of a satellite library in the Verde Highlands subdivision.
5. A recreation or program facility. The town does not have staff for this at this point.
6. Having the building constructed in a way that could be leased until there is a town need.
7. Desire to add a facility to the town complex between the library and the police department instead of constructing one in a development.

The Council discussion included the following

issues:

1. The idea of building in the town complex.
2. A multi-use building in the Verde Highlands part of town.
3. That the town complex has a 3,000 square foot building site.
4. Feel that the highest and best use for a building is as a court facility.
5. Previous proposal of moving the library to the Men's Lounge.
6. Having a building outside of the town complex available for town meetings.
7. Having a building be offices and a community room, and using the building as a court facility.
8. The court facility layout in the FMP.
9. Having a multi-purpose building.

Robyn Prud'homme-Bauer, 1750 Cholla, stated the Council was missing the boat by not talking to the neighborhood about what they want in that building. She spoke to a couple of people who said they want recreation. She doesn't feel they even envisioned a court facility. They need to talk to the community before making a decision.

Curt Bohall, 721 Third North, agreed with Ms. Bauer. It was going to be a 1000 square foot building. The Planning Commission requested the developer move the location and increase it to 3000 square feet and what it would ultimately be used for was unknown. Persons he spoke to felt it should be a community building where they hold pot lucks, etc.

Council discussed a multi-use building in the development with some offices in it and agreed for staff to put together a public participation plan.

AGENDA ITEM: WORKSESSION – A worksession to discuss requests for early grading permits on development projects.

It was noted that Mountain Gate was granted an early grading permit and staff knows that more requests will be submitted. Town Manager Mabery

presented the staff report, as follows:

Background: The Clarkdale Town Code does not have a provision for the issuance of early grading permits for subdivision projects, and, as such, approval for early grading permits is completely discretionary for the Town.

In general, the issuance of an early grading permit for a project can expose the municipality to liability that should be seriously considered in order for the approval to move forward. The most significant concern would be that the project is graded, then the developer, for some reason, is unable to move forward to complete the project.

This leaves a significantly scarred piece of property, with blowing dust and erosion issues that can be of great concern for the Town.

The argument put forth by some would be that, by requiring the developer to post financial assurances, the Town is protected in that they can simply require the bonding company to pay the costs of the completion or restoration of the graded project. However, as Clarkdale is well aware, when a contractor goes bankrupt and the Town is forced to try to finish a project through the bonding company, significant issues and delays can arise.

Equally important to the financial assurances and the developer's experience is the quality of the engineering and technical design of the grading plans. Even with solid financial assurances and a history of development that the Council is comfortable with, the staff would not recommend approval of an early grading permit without complete and acceptable engineering documents.

The Town of Clarkdale has only issued one early grading permit for a subdivision, and that was done recently with the Mountain Gate project. In subsequent meetings with other developers, staff has advised that the granting of an early grading permit for that project should give no expectation of approvals for requests from other projects. In the Mountain Gate case, in addition to the protection offered by the financial assurances that were required as part of the permit, the developer had significant and proven development experience and was extremely well capitalized. These factors played a significant role in the staff's recommendation for approval of that early grading permit, and we believe that the same factors were critical to the Council's subsequent approval of that request. In that case, significant resources were expended by the developer to complete the technical and engineering design before the issue was brought before the Council.

In order to give staff better direction on dealing with these types of requests in the future, we felt it would be a good idea to have a general discussion with the Town Council and make sure that the Staff's interpretation of the Council's general position with regard to early grading permits was accurate.

Recommendation: *This is a discussion item only, and requires no Council action.*

Council discussion included the following issues:

1. Thought process used when the Mountain Gate early grading permit was approved, including the developers experience, etc.
2. One concern about early grading permits is the destruction of natural vegetation and the resulting dust.
3. Feeling that unless there are extraordinary circumstances that early grading permits not be issued.
4. Changing the ordinance, regarding the subdivision process, which is currently silent on the issue of early grading permits.
5. It was noted that changing the ordinance would limit the town as well as the developer.
6. The items looked at when approving he Mountain Gate permit.

AGENDA ITEM: REPORT – A report from Mayor von Gausig on Yavapai County's Facilities/Capital Improvements Project.

Mayor Von Gausig stated he had attended a meeting where County Supervisor Davis explained the consolidation of Yavapai County services in Prescott in a facility with a project cost of \$100,000,000. He went to a Board of Supervisors meeting and commented that centralization of county services is not a good idea.

Supervisor Springer stated there is a misconception that the Verde Valley is loosing services in the Verde Valley. She also stated she didn't understand claims that there was not public input. He stated that the county administrator came up with a timeline that shows the site assessment and the

hiring of an architect by October 25, 2005.

In 1994 the county instituted a ½ cent sales tax. Eighty percent was for regional roads and the rest was to lower property taxes. This was changed to fifty percent for roads and fifty percent into a general fund for this project.

The administrative timeline includes engineering, with utilities starting in November, to be finished in three years. The public just heard about it last week.

There was discussion about the public supervisors meeting.

Mayor Von Gausig noted that many people were upset that the agenda item did not describe what was to be discussed.

AGENDA ITEM: FUTURE AGENDA ITEMS - Listing of items to be placed on a future council agenda.

None.

AGENDA ITEM: ADJOURNMENT - With no further business before the Council, and without objection, the meeting adjourned at 7:20 p.m.

APPROVE:

Doug Von Gausig, Mayor

ATTEST:

Joyce Driscoll, Town Clerk

SUBMIT:

Charlotte Hawken, Admin. Assistant